

DEPARTMENT OF THE ARMY DEFENSE LANGUAGE INSTITUTE FOREIGN LANGUAGE CENTER AND PRESIDIO OF MONTEREY PRESIDIO OF MONTEREY, CA 93944-5006

ATZP-CDR 8 September 2003

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Command Policy on Equal Opportunity (EO) Complaint Processing

Reference: AR 600-20, Army Command Policy, dated 13 May 2002

- 2. Purpose To provide an expeditious means of reporting and ending equal opportunity violations.
- 3. Applicability: All military personnel, faculty, staff and students assigned or attached to the Defense Language Institute Foreign Language Center and Presidio of Monterey (DLIFLC & POM).
- 4. Proponent: The proponent for this policy is the Equal Opportunity Advisor's Office, ATZP-EOA, at extension 5442. This policy supersedes the previous policy dated 2 Jul 01
- 5. Individuals who have been discriminated against because of race, color, gender, religion, and national origin have the right to file a complaint without fear of intimidation, reprisal or harassment. It is each of our duty to report this dangerous behavior in order to maintain a positive environment. Complaints by civilian personnel alleging discrimination should be handled in accordance with the Command Policy on Equal Employment Opportunity (EEO) and the procedures contained in AR 600-20, or as described in DoD and Army policy implementing 10 U.S. Code § 1561.
- 6. I encourage processing equal opportunity complaints through the chain of command, but that is not the only channel available. If you feel uncomfortable filing a complaint with your chain of command or if the complaint is against a member of your chain of command, you should take your issue to the Installation Equal Opportunity Advisor (EOA), Office of the Inspector General (IG), a chaplain, medical agency personnel, Office of the Staff Judge Advocate (OSJA) or a higher echelon in your chain of command.
- 7. Formal complaints regarding equal opportunity or sexual harassment will be referred to the Chief of Staff or appropriate command at which the complainant may be assured of receiving a

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thorough, expeditious and unbiased investigation of the situation. All formal complaints will be processed IAW AR 600-20, Army Command Policy, and as outlined in the enclosed Equal Opportunity and Sexual Harassment Formal Complaint Processing (Encl).

Encl MICHAEL R. SIMONE

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Defense Language Institute Foreign Language Center and Presidio of Monterey

EQUAL OPPORTUNITY/SEXUAL HARASSMENT FORMAL COMPLAINT PROCESSING



Complainant has 60 calendar days from the date of the alleged incident in which to file a formal complaint.

INSTALLATION EQUAL OPPORTUNITY ADVISOR Initiates DA Form 7279-R, EO Complaint Form. Explain the complaint process to the complainant. Have the complainant sworn-in by a commissioned officer. Acknowledge receipt of the complaint and inform the Adjutant to appoint an Investigating Officer (IO). Refer the DA Form 7279-R to the Chief of Staff or appropriate Commander within 3 calendar days.

CHIEF OF STAFF or APPROPRIATE COMMANDER

INVESTIGATING OFFICER

The IO will investigate allegation(s) and provide periodic feedback to the complainant. Upon completion of investigation, submit results to SJA for legal review. After legal review forward results of investigation back to CofS or appropriate commander. The IO has 14 calendar days to complete this process.

A 30-day extension may be granted by the Commander, DLIFLC & POM. Further extensions can be approved only by the first General Officer in the Chain of Command.

COMPLAINANT

Complainant acknowledges results of investigation and actions to resolve complaint.

SATISFIED?

YES

INSTALLATION
EQUAL
OPPORTUNITY
ADVISOR

Conduct an assessment 30 calendar days after the decision to determine the effectiveness of any corrective actions taken and to detect and deter any incidents of reprisal.

COMPLAINANT

Complainant has 7 calendar days to appeal to the Commander, DLIFLC & POM.



COMMANDER DLIFLC & POM

Commander, DLIFLC & POM has 14 calendar days to review the case and act on the appeal (i.e., approve it, deny it, or conduct an additional investigation) The Commander, DLIFLC & POM having General Court Martial Convening Authority is the final decision authority.

INSTALLATION EQUAL OPPORTUNITY ADVISOR

Inform complainant on the final decision. Conduct an assessment 30 calendar days after the final decision to determine the effectiveness of any corrective actions taken and to detect and deter any incidents of reprisal.